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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 DONALD CHRISTOPHER MOORE,)

9 Plaintiff,)

CASE NO. C09-592RSM

10 v.)

11 STATE OF WASHINGTON, *et al.*,)

ORDER OF DISMISSAL

12 Defendants.)
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14 The Court, having reviewed the Report and Recommendation of the Honorable Brian A.
15 Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and
16 ORDER:

- 17 (1) The Court adopts the Report and Recommendation.
18 (2) Plaintiff's complaint (Dkt. No. 4), and this action, are DISMISSED without prejudice
19 pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).
20 (3) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable
21 Brian A. Tsuchida.

22 DATED this 13th day of November, 2009.

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25 RICARDO S. MARTINEZ
26 UNITED STATES DISTRICT JUDGE

ORDER OF DISMISSAL